

UNITED STATES DISTRICT COURT

Middle for the Tennessee
District of

Civil Division

03-22 0040

Francis Keister

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

Metro Nashville Police Department
Officer T. Parsons
Davidson County Attorney
Office

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Francis Keister

17142 P.O. Box 17142

Nashville TN 37217

City

State

Zip Code

Davidson County

262-717-4588

FrancisKeister12@aol.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Metro Nashville Police Department

600 Murfreesboro Pike

Nashville TN 37210

City

State

Zip Code

Davidson County

☐ Individual capacity

☒ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Officer Parson

Metro Nashville Police Officer

5101 Harding Place

Nashville TN 37219

City

State

Zip Code

Davidson County

615-862-7744

☐ Individual capacity

☒ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Davidson County District Attorney's Office
Davidson County District Attorney's Office222 2nd Avenue North TN 37201
City State Zip Code222 2nd Avenue North Nashville TN 37201
Davidson County☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Deprivation of rights under color of Law 42 U.S.C. 1983
 Conspiracy to interfere with civil rights 42 U.S.C. 1985
 Equal protection to the Fourteenth amendment clause of the U.S. Constitution

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- T. parson a metro Nashville police officer toke my car on the 23rd of october of 2021, without any probable cause

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
- This event happened at Esterbrook Ct in Antioch, TN and other additional locations within the Nashville area
- B. What date and approximate time did the events giving rise to your claim(s) occur?
- October 23rd of 2021, with other additional dates from 2019 to the present time this complaint is been made
- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
- On the 23rd of October Officer parson of the metro Nashville police impounded my car for no probable reason. Then one other incidents that occurs to me which the police failed to act, just because they personally like me which is in violation of my constitutional rights of the equal protection clause.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Yes my car been impounded. Contributed to my homelessness. Since then I have face with several health related issues from standing feet from staying in the cold all night with other environmental hazards like been in contact with vapors from smokes carbon mono oxide, Groganite and other harmful substances in my day to day been outside. I have been homeless for almost 3 months and the half due to officer's pursuing secondarily contributing action by withdrawing taking my car.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I'm requesting the amount of One Hundred Fifty million dollars for actual damages, punitive damages, pain and suffering, medical bills, future medical bills, in addition to any other additional damages deemed appropriate by the court.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/21/2022

Signature of Plaintiff 

Printed Name of Plaintiff FRANCIS KEISTER

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

City

State

Zip Code

Telephone Number _____

E-mail Address _____

STATEMENT OF CLAIM 1

On the 23rd of October 2021 an officer from the Metro Nashville Police Department by the name of Officer [redacted] person empo[redacted] my car for no good reason - violation of civil rights. Other incidents that have occurred from 2019 - to 2022 where the police have knowingly tried to act in violation of my civil rights to equal protection, and Officer [redacted] trying my car in violation of [redacted] to deprivation of rights under color of law.

On July 16 of 2021 an individual pulled a short gun on me. At this time I made a police report concerning this incident. No charges were brought against this person. He even went further to spray nails all over my car, showed the police the nails. The complaint was assigned to a detective after a few months from the incident the case was referred back to the D.A.'s office. I went there to inquire about the case. I was told that the case has been closed. The incident happened at 3328 Smith Spring Road in Antioch, TN 37013.

A big chunk of rock was thrown at my car some time in August of 2021. On my way to the Federal court house in Nashville. The truck was driving with a PD Logistics logo on the back. I did take pictures of the truck and a few pictures of the tags. A report was also made into this incident. The case was assigned to Detective [redacted] I met with him during the investigation and gives him pictures of the truck. After a while I went to the D.A.'s screening officer to find out the status of the case. I was told that the police did not find who threw the rock at my car.

And that the case has been closed.

(4) On the 3rd of January of 2022 at around 9:37pm
there was on a Sunday night while standing at a
gas station at Ben Road and a black car hit me
on my left foot. After calling the police and once
no follow up was made to my concern the hit and run
when this driver hit me on my foot was it sure even
if the police went to the gas station at a later time
to look at the videos of the incident. This happens when
on Sunday January 3rd when the lawyers of the police
were to reply to another legal court issue involving
me and then on the next day of Monday January 4th
of 2022.

(5) On the 18th of January of 2022 two black males had an
interaction with me at a food store on Ben Road where
the one of this boys has a pistol on him, he was in the
store with the pistol in his pocket making hand gesture
of me come on. Come on which was clearly shown in a
chain at the store on 5805 Ben Road and not
view prior to the 18th this boy has previously attacked me
at this same store where they found out he punched me on
the head and all over my head, one of the boys also
pointed a pistol at me during this encounter. Then were
three complaints from me concerning this boy the
police made no effect in working to the first incident
when I called him during a a pistol incident
me.

(b) On October 6th 2019 I was attacked at work at Amazon where I made a 911 call the police got a the scene no arrest was made, after almost a year it was only around the the mid of October of 2021 charges were brought against the individual for assaulting me, leaving me with a broken nose, a head injury, and an eye injury.

(c) While staying at my longways place from October 2022 to October 14 2021 I had a couple of incidents with him from assault, to vandalism, to him putting hazardous chemicals in the kitchen for me to eat - in contacts of this hazardous chemicals, he could leave the door open at my report which made - all of this this incident only one of the assault he was charged for and the vandalism, even though there was enough proof that he had went to poisoning me with the chemicals in the house.

All of this incidents shows that the police failed to protect or might deprived me of equal protection under law - violation of my constitutional rights.
All three defendants willfully failed to protect me, and officer person unlawfully towed my car for no reasons violated my civil rights to due process, and the deprivation of rights under color of law.